

EXHIBIT B

From: GARRETT, Tyler <Tyler.Garrett@freshfields.com>
Sent: Thursday, August 31, 2023 11:01 PM
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Cc: SALEM, Sara; MCCALLUM, Robert; Daniel Bitton; craig.reilly@ccreillylaw.com; BAYOUMI, Jeanette; MAHR, Eric (EJM); ELMER, Julie (JSE); EWALT, Andrew (AJE); KAPLIN, Lauren; Bradley Justus; EISMAN, Scott; LEONARD, Claire
Subject: [EXTERNAL] United States v. Google, 1:23-cv-00108-LMB-JFA (E.D. Va.) - Objection to Certain Documents Designated as Highly Confidential

Counsel for DOJ and News Corp,

Google objects to the Highly Confidential Information designation made on the below-listed documents produced by News Corp to DOJ, and then by DOJ to Google as part of the investigative file materials. Google understands that the documents were initially designated as Confidential or Highly Confidential by News Corp in its initial production to DOJ, and then designated as Highly Confidential by default per the EDVA Protective Order in its production to Google. Google does not believe a Highly Confidential Information ("HCI") or Confidential Information ("CI") designation is appropriate for any of the documents based on the definitions for HCI and CI as stated in the Protective Order. Specifically, there are no competitive- or commercially-sensitive details in the identified documents, and there is no sensitive personally identifiable information in the documents, which would qualify the documents to be designated as HCI. Similarly, the documents contain no trade secret or other non-public confidential financial, technical, research, sales, marketing, development, or commercial information, which would qualify the documents to be designated as CI.

1. NEWSCORP-DOJCID-00002354
2. NEWSCORP-DOJCID-00003628

Google has cited these documents in its filing today, and Google anticipates that it may elect to refer to them at the hearing next Friday. Please inform Google of News Corp's and DOJ's positions on the appropriate confidentiality designation of these documents. We are willing to meet-and-confer about our objections.

As previously requested by the United States, Google will redact email addresses and phone numbers in any public versions of de-designated documents.

Best,
Tyler

Tyler Garrett
Associate
Antitrust, Competition, and Trade

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